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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,420	05/10/2001	Tetsujiro Kondo	450100-03213	6765

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FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER

SCHNEIDER, JOSHUA D

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 01/23/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/853,420

Applicant(s)

KONDO ET AL.

Examiner

Joshua D Schneider

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☒ Interview Summary (PTO-413) Paper No(s). 2
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/17/2003 have been fully considered but they are not persuasive. Applicant has argued that Winkelman does not teach the performing of processing according to the type of input device, but based on image values. As seen in the independent claims 1, 8, and 9, of the Winkelman reference, a first transformation occurs based on a device specific color space, and a second transformation occurs based on a device independent color space. The first processing is specific to each type of input device, and the second processing is device independent.
2. The rejections are now corrected to properly label the common and variable processing sections with regards to the Winkelman reference.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4, 8, 12, 14, 15, 16, 19, 23, 24, 25, 28, and 29 rejected under 35 U.S.C. 102(b) as being anticipated by U.S Patent 5,668,890 to Winkelman. With regards to claims 1, 14, and 15, the use of input interface means to interface with a plurality of input devices is inherent in Figure 1 (elements 1-3, connected to element 7). Winkelman teaches common processing means independent of the input device information data received (Fig. 1, elements 8 and 8c, column 2,

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lines 52-55), and variable processing means dependent on an input device information data received via the input device interface (Fig. 1, elements 7 and 12, and column 2, lines 47-50).

5. With regards to claims 4, 16, 23, and 24, the use of output interface means to interface with a plurality of output devices is inherent in Figure 1 (elements 4-6, connected to element 12). Winkelman teaches common processing means independent of the output device information data supplied (Fig. 1, elements 8 and 8c, column 2, lines 52-55), and variable processing means dependent on an output device information data supplied via the output device interface (Fig. 1, elements 7 and 12, and column 2, lines 47-50).

6. With regards to claims 8, 12, 19, 25, 28, and 29, the use of storage interface means to interface with a plurality of storage devices is inherent in Figure 1 (element 6, connected to element 12). Winkelman teaches common processing means independent of the storage device information data received or supplied (Fig. 1, elements 8 and 8c, column 2, lines 52-55), and variable processing means dependent on a storage device information data received or supplied via the storage device interface (Fig. 1, elements 7 and 12, and column 2, lines 47-50).

7. With regards to claims 3, 6, 10, 18, 21, and 27, Winkelman teaches the interface functioning as an interface with each of at least two input devices (Fig. 1, elements 1-5, connected to element 7) and output devices (Fig. 1, elements 4-6, connected to element 12)

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2, 5, 9, 17, 20, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent 5,668,890 to Winkelman in further view of U.S Patent 6,189,050 to Sakarda. With regards to claims 2, 5, 9, 17, 20, and 26, Winkelman fails to explicitly teach the detection of the type of the attached devices, though it may be inherent in the connection of the different types of input and output devices, needing different types of conversion processes, as shown in Fig. 1. The detection of device type was well known in the art at the time of invention. Sakarda teaches detecting of device type in a computer processing system so that devices may be added and removed as necessary (Fig. 4). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the processing system of Winkelman with the device recognition of Sakarda to create a more robust processing system which can recognize input, output, and storage devices, in order to provide greater system stability and flexibility in a competitive computer market

10. Claims 7, 11, 13, 22, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent 5,668,890 to Winkelman. With regards to claims 7, 11, 13, and 22, it would have been obvious to one of ordinary skill in the art at the time of invention that any of an input interface, an output interface, or a storage interface could be integrated into the same interface. It is well known in the art with combination input and output devices such as scanner/printers, and with storage devices in that data is input and output from a storage device, that input, output and storage are often done through a common interface.

11. With regards to claim 27, Winkelman teaches the interface functioning as an interface with each of at least two input devices (Fig. 1, elements 1-5, connected to element 7) and output devices (Fig. 1, elements 4-6, connected to element 12). It would have been obvious to one of

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ordinary skill in the art at the time of invention that the connections to multiple input and output devices could also be to multiple storage devices, as the connection would be no different in general nature than that of the connections to any of the multiple input and output devices shown. Furthermore, the output device shown in Fig. 1, element 6, is a storage device, and multiple instances of such a device would have also been obvious to one of ordinary skill in the art.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Schneider whose telephone number is (703) 305-7991. The examiner can normally be reached on M-F, 8-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Gaffin can be reached on (703) 308-3301. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

JDS



JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Interview Summary

Application No.

09/853,420

Applicant(s)

KONDO ET AL.

Examiner

Joshua D Schneider

Art Unit

2182

All participants (applicant, applicant's representative, PTO personnel):

(1) Joshua D Schneider.

(3) Mayush Singhvi -Reg. No. 50,431.

(2) Dennis Smid - Reg. No. 34,930.

(4) _____.

Date of Interview: 14 January 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: U.S. Patent 5,668,890 to Winkelman.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Winkelman reference was discussed with regards to the 35 USC 102 rejection given in the final rejection of paper number 6. It was found that an error in the citation of the references was found in the rejection, and all parties agreed to a resetting of the time period and correction of the error to more clearly show the reasoning behind the rejection.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required